

**ARTICLE XIII
PENALTIES FOR OFFENSES**

SECTION 1300 PENALTY

- A. Any person, firm, company or corporation owning, controlling or managing any building, structure or premises therein or where there shall be placed on or there exists anything in violation of any of the provisions of this Law and any person, firm, company or corporation who shall assist in the commission of any violation of this Law or any conditions imposed by the Planning Board or the Board of Appeals; or who shall build or use any building or parcel of land, contrary to the plans or specifications submitted to the Building Inspector and/or to the Zoning Officer and certified as complying with this Law and the Uniform code; and any person, firm, company or corporation who shall omit, neglect or refuse to do any act required by this Law shall be guilty of an offense and subject to a fine of ~~not more than fifty (50) dollars or imprisonment for a period of not more than fifteen (15) days or both, and in addition may be ordered to pay all cost and expenses involved in the case. Every such person, firm, company or corporation shall be deemed guilty of a separate offense for each day such violation, disobedience, omission, neglect or refusal shall continue.~~ **not exceeding three hundred fifty (\$350.00) dollars or imprisonment for a period not to exceed six (6) months, or both, for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five (5) years, punishable by a fine not less than three hundred fifty (\$350.00) dollars nor more than seven hundred (\$700.00) dollars or imprisonment for a period not to exceed six (6) months, or both; and, upon conviction for a third or subsequent offense, all of which were committed within a period of five (5) years, punishable by a fine not less than seven hundred (\$700.00) dollars nor more than one thousand (\$1,000.00) dollars or imprisonment for a period not to exceed six (6) months, or both. Each week's continued violation shall constitute a separate additional violation.**
- B. **The Town Board reserves its right to hire a licensed, professional architect/engineer for the purposes of determining compliance with this law and any applicable Building Codes of New York State Building for any person, firm, company or corporation owning, controlling or managing any building, structure or premises therein that commences any activity requiring the issuance of a permit in accordance with this law without first securing said permit from the appropriate board. All reasonable attorney and expert fees**

associated with the enforcement of this provision shall be added to the tax bill for said property as a special assessment.

SECTION 1301 ALTERNATIVE PENALTY

- A. In case of any new violation of any of the provisions of this Law or conditions imposed by the Planning Board or Board of Appeals in addition to other remedies herein provided, the Town Board may institute any appropriate action or proceeding to prevent such unlawful erection, structural alteration, reconstruction, moving and/or use, to restrain, correct or abate such violation, to prevent the occupancy of such building, structure or land to prevent any illegal act, conduct, business or use in or about such premises.

- B. **The Town Board reserves its right, if ordered by a court of competent jurisdiction, to remediate any zoning violation and charge back all costs of the enforcement and remediation to the owner or occupant of the property in questions and the same be added to the tax bill for said property as a special assessment.**